

Albert L. Jacobs, Jr.
Daniel A. Ladow
Michael P. Bauer
DREIER LLP
499 Park Avenue
New York, New York 10022
(212) 328-6100
Attorneys for Plaintiff
Debt Resolve, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEBT RESOLVE, INC.,

Plaintiff,

-v-

APOLLO ENTERPRISE SOLUTIONS, LLC,
Defendant.

Case No.: 07-cv-4531(JSR)

ECF Designated Case

**REPLY TO DEFENDANT'S
ANSWER AND
COUNTERCLAIM**

Plaintiff Debt Resolve, Inc. ("Debt Resolve"), for its Reply to Apollo Enterprise Solutions, LLC's ("Apollo's") Answer and Counterclaim, states as follows:

1. Paragraph 11 references Apollo's responses (which do not contain allegations) to Paragraphs 2-10 of Debt Resolve's Complaint to which no response is required.
2. Paragraph 12 states legal conclusions to which no response is required. To the extent that a response is required, Debt Resolve does not contest subject matter jurisdiction with respect to this action.
3. Paragraph 13 states legal conclusions to which no response is required. To the extent that a response is required, Debt Resolve does not contest that venue is proper in this judicial district with respect to this action.
4. Paragraph 14 states legal conclusions to which no response is required. To the extent that a response is required, Debt Resolve denies each allegation of Paragraph 14,

except admits that an actual case or controversy exists between Debt Resolve and Apollo with respect to Debt Resolve's enforcement of the '551 and '741 patents against Apollo's infringing activities.

5. Debt Resolve denies each of the allegations of Paragraph 15.

6. Debt Resolve denies each of the allegations of Paragraph 16.

7. Debt Resolve denies each of the allegations of Paragraph 17.

WHEREFORE, Debt Resolve prays for a judgment:

A. Granting the relief sought by Debt Resolve in its Complaint.

B. Dismissing in its entirety Defendant's Counterclaim.

C. Awarding costs and attorneys' fees and other further relief as the Court deems just and proper under the circumstances.

Dated: October 1, 2007

Respectfully submitted,

DREIER LLP

By: 

Daniel A. Ladow
Albert L. Jacobs, Jr.
Michael P. Bauer
499 Park Avenue
New York, New York 10022
(212) 328-6100
Attorneys for Plaintiff
Debt Resolve, Inc.